

As a retired fee-only financial planner (RIA, CFP) and aging investor, I urge positive consideration of rule 2231.

At one time, probably the most traumatic and difficult situation with clients losing their capacity to make decisions was the removal of a car or car keys from their use. As the number of individually managed accounts has grown without an intermediary professional who could determine whether sound decisions were being made or requested, this rule becomes very important to protect assets to be used for the reasons they were accumulated.

In Revocable Trust accounts, most investment companies only require the first and last page of the trust document. In setting up such accounts, they could easily ask for the page which names the person who would exercise power of attorney and request the address of that person should that not be indicated on the trust document. Annual requests for confirmation could be sent (separately from statements) because these designations change. If possible, there should be confirmation that the notification has been received and acknowledged with follow-up if no confirmation is received. This will increase the cost to the investment company, but it is only fair that they accept this responsibility for due diligence.

In Retirement Accounts, some investment companies such as Vanguard, Schwab, Fidelity request verification of beneficiary. At the same time they could request the name of a person to contact. (Metropolitan Life Insurance company on its long term care policies asks insured to designate a person to be notified in case where there is some problem, more often failure to receive a premium check which would result in cancellation of the policy.) They request that only in the event of change would the investor notify the investment company. This should probably, in the case of notification of back-up person to contact, be verification that the notice has been read and acknowledged with followup if nothing has been received.

Thank you.

Marylyn M. Feaver